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Working Group on Children and Armed Conflict

Statement by the Chairman addressed to the leadership of the Tamil Makkal Viduthalai Puligal and its military wing, the Karuna faction

At the 8th meeting of the Working Group on Children and Armed Conflict, held on 10 May 2007 in connection with the consideration of the report of the Secretary-General on children and armed conflict in Sri Lanka (S/2006/1006), the Chairman made the following statement on behalf of the Working Group:

The Working Group on Children and Armed Conflict

1. *Strongly condemns* the recent recruitment and use of child soldiers and all other violations and abuses committed against children by the Karuna faction;

2. *Urges* the Karuna faction:

(a) To immediately end the practice of abduction, use and recruitment of children under the age of 18, consistent with the commitment it made to the Special Representative and her Special Adviser;

(b) To engage with the United Nations Children's Fund (UNICEF), as a matter of priority, to release all children among its ranks, ensure a transparent verification process, including access to Karuna faction military camps, devise age-verification procedures with UNICEF and prevent further unlawful recruitment;

(c) To recognize and commit to maintaining the neutrality and security of schools, hospitals and religious institutions as safe zones in conflict-affected areas;

(d) To immediately provide humanitarian actors with unimpeded and safe access to all areas under its control.

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Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in Uganda

1. At its 8th meeting, on 10 May 2007, the Working Group examined a report of the Secretary-General on children and armed conflict in Uganda, introduced by the Special Representative of the Secretary-General (S/2007/260). The Permanent Representative of Uganda participated in the subsequent discussion.

2. The main elements of the exchange of views among the members of the Working Group are summarized below.

3. The members of the Working Group welcomed the submission of the report of the Secretary-General in accordance with Security Council resolution 1612 (2005) and the recommendations therein.

4. They also welcomed the cooperation of the Government of Uganda with the Working Group, the Special Representative and the Uganda Task Force on Monitoring and Reporting, established pursuant to the same resolution.

5. Tribute was paid to Uganda for its participation in the conference entitled "Free Children from War", held in Paris on 5 and 6 February 2007, at which the participants committed themselves to make every effort to uphold and apply the Paris Principles wherever possible in their political, diplomatic, humanitarian, technical assistance and funding roles, consistent with their international obligations.

6. Some members reaffirmed that any child recruited and used by the Lord's Resistance Army (LRA) must be released immediately. While the importance of the Juba peace talks was noted, it was underlined that the release of children could not be made dependent on the conclusion of a peace agreement. Members of the Working Group stressed that progress in the peace process on the ground would contribute to the improvement of the situation of children. A strong message ought to be passed to the LRA leaders. A wish was expressed for close cooperation between the Secretary-General's Special Representative on children and armed conflict and his Special Envoy for LRA-affected areas.

7. Bearing in mind the 2005 Uganda People's Defence Forces Act, which prohibits the recruitment of children under the age of 18 years, concern was expressed that children are present among the local defence units, which are de facto under the responsibility of the Uganda People's Defence Forces.

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8. The Permanent Representative of Uganda welcomed the work of the Special Representative, her visit in his country in June 2006 and the activity of the Uganda Task Force on Monitoring and Reporting. He referred to the 2005 Uganda People's Defence Forces Act prohibiting the recruitment of children under the age of 18 years and pointed to the fact that no recruitment in the armed forces was possible without the consent of local community chiefs. He acknowledged that poverty could have led parents to get their children "employed" in the armed forces by overstating their age. He stated that the conduct of independent on-site monitoring visits to military barracks should be considered with due respect for the sovereignty of Uganda. He declared that the Government of Uganda was committed to finalizing with the Uganda Task Force on Monitoring and Reporting a plan of action pursuant to resolution 1612 (2005). He promised the cooperation of his Government to work on the basis of the report of the Secretary-General on children and armed conflict in Uganda and expressed the wish that Uganda People's Defence Forces and local defence units not be mentioned in the annexes to the next annual report.

9. Members of the Working Group underlined that the case of children and armed conflict in Uganda was an "annex II" situation, considered by the Working Group on the basis of annex II to the report of the Secretary-General submitted pursuant to Security Council resolution 1612 (2005) (A/61/259-S/2006/826 and Corr.1) and that addressing it appropriately would enhance the work of the Working Group.

10. Further to the meeting and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolution 1612 (2005), the Working Group agreed to the following.

Recommendations to the Security Council

11. The Working Group agreed to recommend that the President of the Security Council address a message to the head of the LRA delegation to the Juba peace talks through a public statement by the Chairman of the Working Group to be transmitted by the Special Envoy for the LRA-affected areas:

(a) *Calling the attention* of the head of the LRA delegation to the Juba peace talks to the fact that the Security Council has received a report of the Secretary-General on children and armed conflict in Uganda, dated 7 May 2007 (S/2007/260), underlining the absence of any concrete signs regarding the release of children associated with LRA;

(b) *Strongly condemning* the continuous recruitment and use of child soldiers and all other violations and abuses committed by LRA;

(c) *Noting* the International Criminal Court indictments against members of the LRA leadership on charges of, among other things, the enlistment of children through abduction, as a war crime;

(d) *Strongly reaffirming* that the release of children cannot be made dependent upon the conclusion of a peace agreement;

(e) *Urging* LRA:

(i) To take immediate steps to release children associated with its forces;

(ii) To immediately engage in transparent procedures with the United Nations Children's Fund for verification of the demobilization of all children;

(iii) To provide humanitarian personnel with immediate unimpeded access to populations in need;

(iv) To ensure that specific provisions for children are included by the parties at all steps of the negotiations, bearing in mind the importance of holding accountable perpetrators of violations and abuses committed against children;

(f) *Strongly urging* LRA to respond positively to this message and to take serious follow-up actions.

12. The Working Group also agreed to recommend that the President of the Security Council address a letter to the Secretary-General:

(a) *Noting* the issuance by the International Criminal Court of arrest warrants against members of LRA;

(b) *Requesting* that the Secretary-General submit to the Security Council in early 2008 a report on the follow-up given by LRA to the message addressed to it by the Chairman of the Working Group, to be considered by the Working Group in the framework of its 2008 programme of work with a view to possibly recommending further steps;

(c) *Requesting* that the Special Envoy of the Secretary-General for the LRA-affected areas transmit to the head of the LRA delegation to the Juba peace talks the message of the Chairman of the Working Group, and encouraging the inclusion of specific provisions for children by the parties to the conflict at all steps of the negotiations, bearing in mind the importance of holding accountable the perpetrators of violations and abuses committed against children.

Letters from the Chairman of the Working Group

13. The Working Group agreed to address letters from its Chairman:

To the Government of Uganda

(a) *Welcoming* the cooperation of the Government of Uganda with the Working Group, the Special Representative of the Secretary-General and the Uganda Task Force on Monitoring and Reporting established pursuant to Security Council resolution 1612 (2005);

(b) *Noting* the indictment by the International Criminal Court of members of the LRA leadership on charges of, among other things, the enlistment of children through abduction, as a war crime;

(c) *Bearing in mind* the 2005 Uganda People's Defence Forces Act, which prohibits the recruitment of children under the age of 18 years, and urging the Government of Uganda:

(i) To comply without further delay with the Security Council resolution 1612 (2005) on children and armed conflict by maintaining the dialogue with the Uganda Task Force on Monitoring and Reporting for

the preparation and impleme tation of a concrete and time-bound action plan as soon as possible to halt the violations and abuses committed against children for which it has been cited;

(ii) To take appropriate measures for the immediate release of any child used in the local defence units and to ensure that children are not used by Government forces for intelligence-related activities;

(iii) To take appropriate measures to facilitate the reintegration of the demobilized children;

(iv) To ensure that the Uganda People's Defence Forces (UPDF) reach an agreement with the Uganda Task Force on Monitoring and Reporting on the conduct of independent on-site monitoring visits to military barracks regarding the presence of child soldiers in UPDF as well as in the local defence units under the command structures of the UPDF within the framework of Security Council resolution 1612 (2005);

(v) To prosecute and punish those responsible for sexual violence against girls and women, particularly in internally displaced persons camp settings;

(vi) To pay particular attention to the needs of girls who have been affected by the conflict, in particular those associated with armed groups in the reintegration and rehabilitation process;

(vii) To ensure that specific provisions for children are included by the parties at all steps of the negotiations, bearing in mind the importance of holding accountable perpetrators of violations and abuses committed against children;

(viii) To consider favourably new visits of the Special Representative of the Secretary-General to Uganda and further interaction with the Working Group;

To the World Bank and donors

(d) *Requesting*:

(i) That the World Bank and donors ensure that sufficient resources are made available to support programmes for the release, return and reintegration of the children associated with armed groups into their communities, with due consideration for the longer-term requirements of such programmes for children;

(ii) That the World Bank and donors provide all necessary support for the reinforcement of the Uganda Task Force on Monitoring and Reporting in collecting adequate and reliable information on the impact of violations against children in this new phase of peacebuilding in Uganda.

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Working Group on Children and Armed Conflict

Message to the head of the Lord's Resistance Army delegation to the Juba peace talks through a public statement by the Chairman of the Working Group to be transmitted by the Special Envoy for the areas affected by the Lord's Resistance Army

At the 9th meeting of the Working Group on Children and Armed Conflict, held on 19 July 2007 in connection with its consideration of the report of the Secretary-General on children and armed conflict in Uganda (S/2007/260), the Chairman made the following statement on behalf of the Working Group, to be transmitted by the Special Envoy for the areas affected by the Lord's Resistance Army (LRA):

The Working Group on Children and Armed Conflict

1. *Calls the attention* of the head of the LRA delegation to the Juba peace talks to the fact that the Security Council has received a report of the Secretary-General on children and armed conflict in Uganda, dated 7 May 2007 (S/2007/260), underlining the absence of any concrete signs regarding the release of children associated with LRA;

2. *Strongly condemns* the continuous recruitment and use of child soldiers and all other violations and abuses committed by LRA;

3. *Notes* the International Criminal Court indictments against members of the LRA leadership on charges of, among other things, the enlistment of children through abduction, as a war crime;

4. *Strongly reaffirms* that the release of children cannot be made dependent upon the conclusion of a peace agreement;

5. *Urges LRA*:

(a) To take immediate steps to release children associated with its forces;

(b) To immediately engage in transparent procedures with the United Nations Children's Fund for verification of the demobilization of all children;

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(c) To provide humanitarian personnel with immediate unimpeded access to populations in need;

(d) To ensure that specific provisions for children are included by the parties at all steps of the negotiations, bearing in mind the importance of holding accountable perpetrators of violations and abuses committed against children;

6. *Strongly urges* LRA to respond positively to this message and to take serious follow-up actions.

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Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in Somalia

1. At its 8th meeting, on 10 May 2007, the Working Group examined a report of the Secretary-General on children and armed conflict in Somalia, introduced by the Special Representative of the Secretary-General (S/2007/259). The Permanent Mission of Somalia to the United Nations contributed through written comments to the subsequent discussions on the report.

2. The main elements of the exchange of views among the members of the Working Group are summarized below.

3. Members of the Working Group welcomed the continued hard work of the Somalia Task Force on Monitoring and Reporting and its contribution to the report of the Secretary-General in the light of the challenges they faced in the deteriorated security environment of Somalia and welcomed recommendations contained in the report.

4. Grave concern was expressed that the recruitment and use, as well as abduction, of children by several parties to the conflict, including Transitional Federal Government armed forces and armed groups affiliated with the Union of Islamic Courts, had continued over the period covered by the report.

5. Grave concern was also expressed about the high number of children killed and maimed as a result of fighting, widespread insecurity, availability of small arms and use of anti-personnel landmines by the belligerents, and in that context the importance of the respect by all parties to the conflict of international humanitarian law and other applicable international standards and norms was stressed.

6. Several members were also particularly worried by the fact that the situation of children had probably deteriorated since the end of the period covered by the report owing to the recrudescence of fighting and military operations, notably in April 2007.

7. The participation at ministerial level of the Transitional Federal Government of Somalia in the conference entitled "Free Children from War", held in Paris on 5 and 6 February 2007, was welcomed as a positive sign of its commitment to the protection of children under its jurisdiction in the context of armed conflict.

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8. The Transitional Federal Government of Somalia was encouraged to ratify the Convention on the Rights of the Child and to become a party to its Optional Protocol on the involvement of children in armed conflict.

9. It was noted that the recommendations of the Working Group were developed in the context of expected progress in the National Reconciliation Congress and process in Somalia, and that such progress was also key to the improvement of child protection and needed to be encouraged.

10. The Permanent Mission of Somalia to the United Nations:

(a) Questioned the level of credibility of some information and sources mentioned in the report and insisted in that context on the need for an increased presence of United Nations organizations in Somalia;

(b) Stressed the need to restore, as a matter of priority, security, law and order in Somalia, through, inter alia, the implementation of its national security and stabilization plan, and called upon the international community to step up assistance in that field;

(c) Underlined the responsibility of extremist groups in the perpetuation of violence and insecurity in Somalia and the need for all groups, including the remnants of the Union of Islamic Courts, to renounce violent methods and endorse democracy;

(d) Reiterated the commitment of the Transitional Federal Government to the welfare of children and human rights for all, and to foster progress towards reconciliation through the convening of an all-inclusive national reconciliation conference.

11. Further to the meeting and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolution 1612 (2005), the Working Group agreed to the following.

Recommendations to the Security Council

12. The Working Group agreed to recommend that the President of the Security Council address a letter:

To the Transitional Federal Government of Somalia

(a) *Welcoming*:

(i) The commitments made by the Transitional Federal Government of Somalia in addressing the needs of children in armed conflict, and stressing the importance of their implementation as a matter of priority;

(ii) The cooperative dialogue between the Transitional Federal Government and the United Nations Children's Fund (UNICEF) on subjects such as the presence of children in its armed forces and the release of children previously associated with the Union of Islamic Courts;

(iii) The participation of the Ministers for Health and for Women's Development and Family to the Paris conference entitled "Free Children from War" and the support expressed on this occasion by the Transitional Federal

Government to the Paris Principles and Commitments to protect children from unlawful recruitment or use by armed forces or armed groups;

(b) *Urging* the Transitional Federal Government of Somalia:

(i) To take the necessary actions towards the unconditional demobilization of all children present in any capacity in its armed forces and to prevent any further recruitment of children, and in the meantime, ensure that children do not directly take part in hostilities;

(ii) To ensure that child protection considerations and provisions are reflected in the course of the reconciliation process and in eventual agreements so as to secure adequate resources and focus for children in post-conflict rehabilitation and reconstruction;

(c) *Encouraging* the Transitional Federal Government:

(i) To consider ratifying as early as possible the Convention on the Rights of the Child and becoming a party to its Optional Protocol on the involvement of children in armed conflict;

(ii) To control, with the assistance of the international community, the dissemination of small arms, as their ready availability renders children more vulnerable to violations and abuses and increases the risk of crimes being committed against children;

(iii) To build, with the assistance of the international community, a child protection capacity and ensure that violations and abuses committed against children are rigorously investigated and prosecuted to address the prevailing culture of impunity;

(iv) To include children's rights groups in the consultations of the National Reconciliation Congress, and in the process of reconciliation therein;

(v) To develop, in partnership with UNICEF, programmes and strategies to raise awareness among society of children's rights and of the need for all people to protect children;

To the Secretary-General

(d) *Welcoming* the recommendation of the Secretary-General to the United Nations country team to continue to establish a systematic protection dialogue with all the parties to the conflict towards the development of concrete, time-bound action plans to end the recruitment and use of child soldiers as well as other violations and abuses committed against children;

(e) *Encouraging* him to engage in consultations with the African Union on appropriate modalities in order to support and develop child protection capacity in the African Union Mission in Somalia within its own mandate;

(f) *Inviting* him to make sure that the contingency planning undertaken by the Department of Peacekeeping Operations on the request of the Security Council for any future United Nations mission to be deployed in Somalia includes appropriate child protection considerations and provisions;

To the President of the African Union Peace and Security Council

(g) *Commending* the efforts undertaken by the African Union Mission in Somalia to restore a secure environment in Somalia and encouraging the President to consider the appointment of a child protection adviser within the Mission, with a view to ensuring that child protection is prioritized.

Direct action by the Working Group

13. The Working Group agreed to address messages to all the parties to the conflict through public statements by its Chairman on behalf of the Working Group:

(a) *Expressing grave concern* at the high number of children killed and maimed as a result of renewed fighting in Somalia, and condemning in particular the indiscriminate shelling of heavily populated areas of Mogadishu, as well as the indiscriminate use of anti-personnel landmines;

(b) *Urging* all parties:

(i) To comply fully with international humanitarian law, inter alia, by protecting the civilian population, especially children;

(ii) To recognize and commit to maintaining the neutrality and security of schools and hospitals as safe zones in conflict-affected areas, and in that context to refrain from any attack on such safe zones;

(iii) To guarantee as a matter of priority complete, unhindered and secure access for humanitarian assistance, as well as international and national child protection actors;

(iv) For those such as the Union of Islamic Courts and its affiliated groups which have been recruiting and using children, to release unconditionally all children present in any capacity in their ranks for reintegration in their families and communities, and to engage at the earliest occasion with the United Nations country team, in particular UNICEF, and, where appropriate, through non-governmental organizations in a collaborative partnership or in partnership with UNICEF, for an action plan with a view to putting an end to the serious abuses perpetrated against children and ensuring transparent procedures for the release of all children;

(v) To halt immediately new deployments of landmines, bearing in mind the serious threat that landmines pose to the safety, health and lives of children in Somalia.

14. The Working Group also agreed to address letters from its Chairman:

To the World Bank and donors

(a) *Requesting* that they ensure that sufficient resources are made available to support programmes and local capacities in the areas of advocacy, community awareness, demobilization and reintegration of children associated with armed forces and armed groups, and respond to violations and abuses committed against children, including strengthened child protection mechanisms in the Somali refugee camps in Kenya and in the internally displaced persons settlements inside Somalia, and for more concerted international advocacy and awareness-raising on the plight of the children in the country;

To the Somalia Task Force on Monitoring and Reporting

(b) *Commending* its efforts in the follow-up to Security Council resolution 1612 (2005) and other decisions on children and armed conflict, as well as its démarches to the parties, and requesting continued dialogue with all stakeholders to secure commitments concerning the protection of children.

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Working Group on Children and Armed Conflict

Statement by the Chairman addressed to all parties to the conflict in Somalia

At the 9th meeting of the Working Group on Children and Armed Conflict, held on 19 July 2007 in connection with the consideration of the report of the Secretary-General on children and armed conflict in Somalia (S/2007/259), the Chairman made the following statement on behalf of the Working Group:

The Working Group on Children and Armed Conflict

1. *Expresses* grave concern at the high number of children killed and maimed as a result of renewed fighting in Somalia, and condemns in particular the indiscriminate shelling of heavily populated areas of Mogadishu, as well as the indiscriminate use of anti-personnel landmines;

2. *Urges all parties*:

(a) To comply fully with international humanitarian law, inter alia, by protecting the civilian population, especially children;

(b) To recognize and commit to maintaining the neutrality and security of schools and hospitals as safe zones in conflict-affected areas, and in that context to refrain from any attack on such safe zones;

(c) To guarantee as a matter of priority complete, unhindered and secure access for humanitarian assistance, as well as international and national child protection actors;

(d) For those such as the Union of Islamic Courts and its affiliated groups which have been recruiting and using children, to release unconditionally all children present in any capacity in their ranks for reintegration in their families and communities, and to engage at the earliest occasion with the United Nations country team, in particular the United Nations Children's Fund (UNICEF) and, where appropriate, through non-governmental organizations in a collaborative partnership or in partnership with UNICEF, for an action plan with a view to putting an end to the serious abuses perpetrated against children and ensuring transparent procedures for the release of all children;

(e) To halt immediately new deployments of landmines, bearing in mind the serious threat that landmines pose to the safety, health and lives of children in Somalia.

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